IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA

APR 1 1 2006

CLERK'S OFFICE U.S. DIST. COURT

ROANOKE DIVISION

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BENJAMIN H. JONES,)
)
Plaintiff,) Civil Action No. 7:06-cv-00204
v.) <u>FINAL ORDER</u>
NURSE HARLESS,)
RED ONION STATE HOSPITAL,) By: Hon. James C. Turk
) Senior United States District Judge
Defendants)

In accordance with the memorandum opinion entered this day, it is hereby

ORDERED

that plaintiff is hereby **DENIED** the opportunity to proceed in forma pauperis, the action shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. §1915(g), and is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order to and to counsel of record for the defendants, if known.

ENTER: This /o Way of April, 2006.

Senior United States District Judge